

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TARA LYNN SALLEY,

Defendant.

CR 15-86-BLG-TJC

**ORDER GRANTING
MOTION FOR EARLY
TERMINATION OF
PROBATION**

On September 18, 2015, Defendant Tara Lynn Salley pled guilty to possession of a controlled substance in violation of 21 U.S.C. § 844. (Doc. 10.) The Honorable Carolyn S. Ostby sentenced Defendant to five years of probation. (Doc. 11.) The Court also imposed a fine in the amount of \$75,000.00 and a \$25.00 special assessment fee. (*Id.*) Defendant has now completed over two years of her probationary sentence, and has paid the fine and special assessment fee in full.

On September 21, 2017, Defendant filed an Unopposed Motion for Early Termination of Probation. (Doc. 15.) The Government does not oppose this Motion. United States Probation Officer, Derek Taylor, who has been supervising Defendant, does not oppose this Motion.

After considering the factors set forth in 18 U.S.C. 3553(a), the Court may “terminate a term of probation previously ordered and discharge the defendant at

any time in the case of misdemeanor . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3564(c). A hearing is not required where, as here, Defendant has specifically waived the requirement for a hearing under Fed.R.Crim.P. 32.1(c)(2)(A).

The Court has considered Defendant’s unopposed motion, including the letters submitted on her behalf by Michael Ramirez, Clinical Director for the Montana Professional Assistance Program (“MPAP”), and her minor child’s pediatric oncologist, Dr. Jack Staddon, MD. The Court has also considered the Government’s position of support for the Defendant, as well as the support of the Probation Officer. The Court further considered Defendant’s voluntary professional lifetime contract with MPAP for monitoring and random drug screens. Taken together, the Court finds the interests of justice warrant early termination of Defendant’s probation in this case.

Accordingly, IT IS HEREBY ORDERED that Defendant’s period of probation is hereby terminated as of the date of this Order.

DATED this 18th day of December, 2017.



TIMOTHY J. CAVAN
United States Magistrate Judge